

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0574 MHP
)	
Plaintiff,)	[PROPOSED] ORDER
)	EXCLUDING TIME UNDER THE
v.)	SPEEDY TRIAL ACT FROM
)	DECEMBER 15, 2008, TO
ANGELICA SAGOTE, SEFO SAGOTE,)	FEBRUARY 26, 2009
ELISARA TAITO, and DONNISHA)	
HARRELL,)	Hon. Marilyn Hall Patel
)	
Defendants.)	

The Court enters this Order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, for defendants ANGELICA SAGOTE, SEFO SAGOTE, ELISARA TAITO, and DONNISHA HARRELL, from **December 15, 2008, to February 26, 2009.**

On December 15, 2008, ANGELICA SAGOTE, SEFO SAGOTE, and ELISARA TAITO each with their counsel, counsel for DONNISHA HARRELL, and government counsel, appeared before United States District Court Judge Marilyn Hall Patel. At the hearing, counsel for ANGELICA SAGOTE moved for a continuance of the trial date from February 3, 2009, to March 10, 2009, which was granted for good cause shown. The basis for the continuance was that counsel for ANGELICA SAGOTE is expected to be unavailable through early February 2009 due to an ongoing trial in state court.

ANGELICA SAGOTE also moved for an exclusion of time under the Speedy Trial Act from December 15 to February 26, 2009, and the Court ordered time excluded under 18 U.S.C. § 3161(h)(8)(B)(iv) on the basis that denying the request would deny counsel for the defense the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence. The government consented to the request. Defendant HARRELL'S counsel objected to an exclusion of time under the

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1 Speedy Trial Act. The Court finds, however, that Harrell is joined for trial with
2 codefendants as to whom the time for trial has not run, no motion for severance has been
3 granted, and the period of delay is reasonable. *See* 18 U.S.C. § 3161(h)(7). In addition,
4 the Court finds that the ends of justice served by the granting of the continuance outweigh
5 the best interests of the public and the defendants in a speedy trial. 18 U.S.C. §
6 3161(h)(8)(A).

7 Accordingly, it is ordered that the time from December 15, 2008, to February 26,
8 2009, is excluded for all defendants under the Speedy Trial Act.

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11 Date: 12/19 _____, 2008
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